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 9/24/04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
In re application of: Huilong Zhu, et al.	Date: September 24, 2004
Serial Number: 10/605,130	Examiner: Mai Huong C. Tran
Filed: 9/10/03	Group Art Unit: 2818
Title: Structure and Method for Sillicided Metal Gate Transistors	IBM Corporation D/18G, B/300, Zip 482 2070 Route 52 Hopewell Junction, NY 12533-6531

RESPONSE TO RESTRICTION REQUIREMENT

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Commissioner of Patents and Trademarks
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated September 10, 2004.

The Examiner in the Office Action has required restriction under 35 U.S.C. 121, stating that the claims belong to:

GROUP I, Claims 15-20, drawn to a device, and


GROUP II, Claims 1-14, drawn to a process.

Applicants elect to prosecute the invention of GROUP II, consisting of Claims 1-14, and withdraw from consideration the claims forming GROUP I, as being drawn to non-elected invention, without prejudice to the Applicants' right to file a Divisional or Continuation or Continuation-in-Part Patent Application for the withdrawn claims.

Therefore, the invention of GROUP I, namely, Claims 15-20 can be withdrawn by the Examiner under 37 C.F.R. 1.142 (b), as being drawn to a non-elected invention.

The election of claims is made without traverse.

Respectfully submitted,
Huiling Zhu, et al.

By: 
H. Daniel Schnurmann, Agent
Registration No. 35,791
Tel. No. (845) 894 2481

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Re Applic of	International Business Machines Corporation
Docket No.	FIS920030283US1
Serial No.	10/605,130
Filing Date	9/10/03
Attorney	H. Daniel Schnurmann

Attached: Response to Restriction Requirement

PLEASE DELIVER TO:**EXAMINER: Mai Huong C. Tran****ART UNIT: 2818****PHONE NO:****FAX NO: 703-872-9306**

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**INTERNATIONAL BUSINESS MACHINES
CORPORATION**

Intellectual Property Law
East Fishkill Facility
2070 Route 52
Hopewell Junction
New York 12533-6531

Fax: 845-892-6363
Phone: 845-894-2580